

Entered - 12-9-99 - sb  
CL - 99L0836 ALEXIS HOLMES

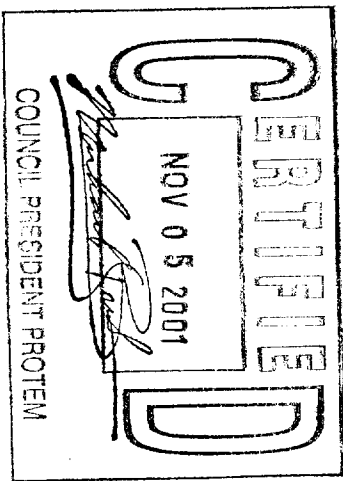
CLAIM OF: **BARBARA MEDEIROS**  
602 Farmbrook Trail  
Kennesaw, Georgia 30144-1628

**01-*R*-1761**

For property damages alleged to have been sustained as a result of a  
City police officer transporting her to a hospital on October 19, 1999  
at 80 Butler Street, SE.

THIS ADVERSE REPORT IS APPROVED

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY



ADVERSE  
CITY COUNCIL NOV 05 2001

NOV 05 2001

**ADVERSE REPORT**

COMM *Public Safety*

DATE *10/30/01*

✓ CHAIR *Cheryl Harrison*

*[Signature]*

*Asst. City*

*Darryl Smith*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

November 13, 2001

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

Barbara Medeiros  
602 Farmbrook Trail  
Kennesaw, GA 30144-1628

01-R-1761

Dear Ms. Medeiros:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on November 05, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0836

Date: 10/12/01

Claimant /Victim BARBARA MEDEIROS

BY: (Atty)(Ins.) \_\_\_\_\_

Address: 602 Farmbrook Trail Kennesaw, Georgia 30144-1623

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 650.00 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 11/24/99 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) \_\_\_\_\_

Date of Occurrence 10/19/99 Place: 80 Butler Street, SE

Department Police Division: FOD

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

**NATURE OF CLAIM:** The claimant sustained damages after her property was lost when she was taken into custody by a City police officer and transported to a hospital. However, the claimant believes that the City's police officer was not responsible for her missing articles, therefore, she has declined to pursue her claim against the City.

### INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant X Other X Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

### BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned X

Respectfully submitted,

  
INVESTIGATOR - ALEXIS HOLMES

### RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 10-16-01

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 3222  
11/05/01  
3:31 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 through 15

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA

01-O-1591  
01-O-1696  
01-O-1698  
01-O-1712  
01-R-1595  
01-R-1786  
01-R-1793

CONSENT

**11/05/01 Council Meeting**

**ITEMS ADOPTED ON  
CONSENT AGENDA**

1. 01-O-1703
2. 01-O-1671
3. 01-O-1664
4. 01-R-1667
5. 01-R-1729
6. 01-R-1745
7. 01-R-1777
8. 00-R-0820
9. 01-R-1682
10. 01-R-1782
11. 01-R-1706
12. 01-R-1708
13. 01-R-1709
14. 01-R-1730
15. 01-R-1746
16. 01-R-1791
17. 01-R-1748
18. 01-R-1749
19. 01-R-1750
20. 01-R-1751
21. 01-R-1752
22. 01-R-1753
23. 01-R-1754
24. 01-R-1755
25. 01-R-1756

**ITEMS ADVERSED ON  
CONSENT AGENDA**

26. 01-R-1757
27. 01-R-1758
28. 01-R-1759
29. 01-R-1760
30. 01-R-1761
31. 01-R-1762
32. 01-R-1763
33. 01-R-1764
34. 01-R-1765
35. 01-R-1766
36. 01-R-1767
37. 01-R-1768
38. 01-R-1769
39. 01-R-1770
40. 01-R-1771
41. 01-R-1772
42. 01-R-1773
43. 01-R-1774
44. 01-R-1775
45. 01-R-1776